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09/538,417	03/29/2000	Tatsuo Takaoka	2271/61686	7451

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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/538,417	<b>Applicant(s)</b> TAKAOKA, TATSUO	
	<b>Examiner</b> Jerome Grant II	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,6,8-15,22-33,38,39 and 41-50 is/are allowed.
- 6) ☒ Claim(s) 1-4,7,16-21,34-37 and 40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II  
PRIMARY EXAMINER

#### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7, 16-21, 34-37 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Silvkoff.

With respect to claim 1, Silvkoff teaches a facsimile apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

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An F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing transmission (col. 8, lines 52-62); and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lines 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR.

With respect to claim 2, Silvkoff teaches a facsimile apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

An F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing polling of a document (see col. 13, lines 50-55); and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for

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managing a transmission job relating to the transmission operation, col. 4, lines 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR.

With respect to claim 3, Sivkoff teaches a facsimile apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

an F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing transmission (col. 8, lines 52-62) or performing a polling of a document according to col. 14, lines 50-55; and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lines 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR. Sivkoff teaches a document managing information for managing a job related to the polling document producing operation (see col. 13, lines 50-55), for identification of information for the box as authentication information.

With respect to claim 4, Silvkoff teaches a transmission control portion 42 in module 77 which reads the F-code registered for the box 24 corresponding to the authentication information registered in the document managing information, and inserts information indicating said F-code in at least any one page of the image information, note this information is found in the data stream, see fig. 10 and col. 4, lines 29-34.

Claim 7 is rejected for the reason Silvkoff teaches a transmission control portion (CAN/ DEL 42), see also col. 8, lines 52-62, which, when image information is transmitted as claimed and inserts information regarding the box name as suggested by figure 10.

With respect to claims 16-18, Silvkoff teaches wherein a password for authentication is registered for each box (see figure 10) said control portion 22, when searching for the box (24) for which the same value as that of the input F-code is registered, treats only the boxes for which an effective password (CAN ID) is registered

With respect to claims 19-21, Silvkoff teaches wherein said control portion 12, when finding the box, performs authentication operation using the password registered in the box (see col. 4, lines 34-38) and only when the authentication operation succeeds, agrees to accept the operation performed by the user (see col. 4, lines 34-38 and 54-60).

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With respect to claim 34 Silvkoff teaches a method (performed by program codes stored in MMR 40) for controlling a fax apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

An F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing transmission (col. 8, lines 52-62); and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lins 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR.

With respect to claim 35, Silvkoff teaches a method (performed by program codes stored in MMR 40) for controlling a facsimile apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

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An F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing polling of a document (see col. 14, lines 50-55); and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lins 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR.

With respect to claim 36, Sivkoff teaches a method (performed by program codes stored in MMR 40) for controlling a facsimile apparatus, provided with boxes each corresponding to an F-code (CAN arbitration ID) which is received through a fax transmission procedure (according to col. 4, lines 29 and 30) executing a center-machine application (20 by programs stored in MMR 40) using the corresponding box 24 based on sub-address information (3 addresses CAN ID, IDE and message data) when receiving image information, said apparatus comprising:

an F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing transmission (col. 8, lines 52-62) or performing a polling of a document according to col. 14, lines 50-55; and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and



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registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lines 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR. Silvkoff teaches a document managing information for managing a job related to the polling document producing operation (see col. 13, lines 50-55), for identification of information for the box as authentication information.

With respect to claim 37, Silvkoff teaches a transmission control portion 42 in module 77 which reads the F-code registered for the box 24 corresponding to the authentication information registered in the document managing information, and inserts information indicating said F-code in at least any one page of the image information, note this information is found in the data stream, see fig. 10 and col. 4, lines 29-34.

With respect to claim 40, Silvkoff teaches a transmission control portion (CAN/ DEL 42), see also col. 8, lines 52-62, which, when image information is transmitted as claimed and inserts information regarding the box name as suggested by figure 10.

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2.

### Claims Allowed

Claims 5, 6, 8-15, 22-33, 38, 39, 41 and 42 are allowed by amendment received May 26-2004 to incorporate limitations in the base claim with material indicated as allowed in the dependent claims.

Claims 43, 46 and 49 are allowed for the reason the prior art does not teach in claimed combination, "... a control part that searches among the plurality of confidential boxes for a confidential box whose characteristic F-code matches the F-code input by the prospective user and, if an confidential box characterized by matching F-code is found, enables the ... user to transmit the ...information."

Claims 44, 47 and 50 are allowed for the reason the prior art does not teach or provided in claimed combination, "... a control part that searches among the plurality of confidential boxes for a confidential box whose characteristic F-code matches the F-code input by the prospective user and, if an confidential box characterized by matching F-code is found, enables the ... user to produce the polling document."

Claims 45 and 48 are allowed for the reason the prior art does not teach or provide in claimed combination, a control part that searches among the plurality of confidential boxes for

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a confidential box whose characteristic F-code matches the F-code input by the prospective user and, if an confidential box characterized by matching F-code is found, enables the user to either transmit the confidential information or to produce a polling document.

3.

### **Examiner's Remarks**

Examiner notes with some peculiarity that the request for RCE considers the amendment after final rejection to be entered. The amendment after final rejection was not entered and an Advisory Action had set forth the reasons denying the entry. Subsequently the applicant filed an RCE but no other remarks have been submitted. So in addition to the remarks submitted in the Advisory Action the examiner concludes that an facsimile image transmission and a polling transmission are discussed by Silvkoff. The transmission and reception of image objects constitutes the facsimile transmission. The examiner does agree that a small memory is used to facilitate the transmission of the object. But the size of the memory of the apparatus does not preclude it from being a fax machine. Silvkoff simple shows a fax apparatus where the memory being transmitted and received is a little bit at a time.

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Regarding the polling operation, this limitation is clearly taught at col. 13, lines 55-60. An F-code input requesting portion (module 77) which request a user to input an F-code when the user operates said apparatus for performing polling of a document (see col. 13, lines 50-55); and control portion 22 which searches for the box for which an F-code is registered (memory 24), the value of which F-code (Screen ID) agrees with the value of the F-code input by user (Match ID) and, only when finding said box, agrees to accept the transmission operation performed by the user (col. 4, lines 29-38), and registers, in document managing information for managing a transmission job relating to the transmission operation, col. 4, lines 54-59, identification information (IDE or Match ID) for said box as authentication information. Note that ID's are stored in box 24 which is the MMR.

Applicant contends that Silvkoff is not capable of receiving a fax transmission. Upon closer view, column 7 lines 23-40 teaches that message objects delineated as transmission objects and reception objects are associated with the CAN ID and are passed in and from the message buffer (up to 256 bytes, see line 30). Hence the apparatus 20, shown in figure 3, addresses the transmission of image data (textual as presumed) and the reception of it. Hence, apparatus 20 is a fax machine in the generic sense. See also col. 12, lines 10-19 and col. 14, lines 19-22, lines 31-41 and lines 52-55 regarding the transmission and reception of message objects.

The examiner contends that F-Code data is interpreted in view of the specification as an identification information. There have been no arguments presented contrary to the CAN ID as an F-code.

Examiner has not received an English equivalent of the foreign priority alleging an earlier date of invention over Silvkoff.

Applicant's remarks at page 29 have been considered. Applicant argues that Silvkoff is not directed toward a fax machine. While Silvkoff does not utilize the actual wording of "fax or facsimile machine" the examiner contends that the definition of facsimile or a machine for facilitating a fax operation is suggested by Silvkoff. At col. 1, lines 17-22, Silvkoff states that the CAN is utilized in office automation equipment (which includes a fax machine).

Furthermore, col. 4, lines 19-23 and 54-58 teaches a succession of messages are communicated over a channel (this is done in facsimile communications). Moreover, the operation of transmitting packets of messages over a channel during transmission is an operation descriptive of a fax machine. This operation describes a facsimile communication operation. In short, although the word "facsimile" does not appear, the specification anticipates the use of a facsimile operation based on the aforementioned sections above and the generic definition of a facsimile.

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5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Thru. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams, can be reached on (571)-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
JEROME GRANT II  
PRIMARY EXAMINER

J. Grant II